

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

HOSEA L. ROBINSON,

Plaintiff,

v.

STATE OF MISSOURI, et al.,

Defendants.

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No. 4:18-cv-1225-JAR

MEMORANDUM AND ORDER

This closed civil matter is before the Court upon a post-judgment motion filed by plaintiff Hosea L. Robinson. In the motion, plaintiff can be understood to allege the Missouri Department of Corrections (“MDOC”) has improperly debited his institution account to satisfy his fee obligations in this case. He can also be understood to seek additional documentation of fees he has paid. For the reasons explained below, the motion will be denied, and plaintiff will be provided with a copy of the docket sheet.

Background

Plaintiff commenced this civil action on July 13, 2018, and moved for leave to proceed *in forma pauperis*. On September 17, 2018, after being ordered to do so, he filed an amended complaint, which the Court reviewed pursuant to 28 U.S.C. § 1915. On October 24, 2018, this Court entered an order granting plaintiff leave to proceed *in forma pauperis*, and dismissing this action without prejudice.

On December 17, 2018, plaintiff filed a notice of appeal in the United States Court of Appeals for the Eighth Circuit. On January 31, 2019, the Court of Appeals dismissed plaintiff’s appeal and assessed the full \$505 appellate filing fees against him, and remanded the collection of

those fees to this Court. On February 4, 2019, this Court entered an order directing the institution having custody of plaintiff to begin making payments in accordance with 28 U.S.C. § 1915(b)(2) until the \$505 appellate filing fee was paid in full. On March 1, 2019, plaintiff's institution began forwarding such payments to the Court.

Plaintiff avers the instant motion relates to this case and two other closed civil actions he previously commenced in this Court: *Robinson v. City of St. Louis, et al.*, No. 4:19-cv-1767-CDP (E.D. Mo. 2019) and *Robinson v. State of Missouri, et al.*, No. 1:19-cv-99-SPM (E.D. Mo. 2019). Review of the records from those closed civil matters shows that plaintiff filed the instant motion in those actions as well. Plaintiff requests documentation of "the exact amount of filing fees owed" for the civil cases he has filed, and he asks that "a complete copy of these charges be mailed to him/me as soon as possible." He indicates he believes the MDOC is improperly debiting his institutional account to satisfy his filing fee debts, and that he has been overcharged. He avers he filed this case and the above-cited civil cases to vindicate his wrongful conviction and unlawful imprisonment, and that he should not be charged separate fees for each case.

Discussion

Because plaintiff sought and was granted leave to proceed *in forma pauperis* in this action, he was required to pay a civil filing fee of \$350. *See* 28 U.S.C. § 1915(b)(1) ("if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee."). Additionally, because he filed a notice of appeal, he was required to pay an appellate filing fee of \$505. *Id.* Review of this Court's records fails to demonstrate receipt of payments in this matter in excess of either of those financial obligations. The Court will direct the Clerk to send plaintiff a copy of the docket sheet, which lists the payments received in this matter thus far.


To the extent plaintiff can be understood to seek an order enjoining the MDOC from debiting his institution account to pay fees in this action, or to provide him with documentation it has not already provided, such request is denied. Plaintiff has not demonstrated that the MDOC has failed to comply with 28 U.S.C. § 1915(b)(2) or used an incorrect collection method, nor has he demonstrated he has paid more than he owes in this action. Despite plaintiff's averments, the fact he commenced other civil actions and appeals does not relieve him of the obligation to pay the civil or appellate fees in this action, regardless of the nature of his claims or the manner in which they were disposed.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion (ECF No. 23) is **DENIED**.

IT IS FURTHER ORDERED that the Clerk shall mail to petitioner a copy of the docket sheet.

Dated this 22ND day of April, 2021.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE